

Notice of Allowability

Application No.

10/609,362

Applicant(s)

ALAM, AKM KAMRUL

Examiner

Tuan A. Vu

Art Unit

2193

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to submission filed 6/25/07 and 9/28/07.
2. ☒ The allowed claim(s) is/are 1, 3-5, 7-12 (renumbered 1-10).
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO/SB/08),
Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit
of Biological Material
5. ☐ Notice of Informal Patent Application
6. ☒ Interview Summary (PTO-413),
Paper No./Mail Date 9/28/07.
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____.

DETAILED ACTION

1. This action is responsive to the Applicant's response filed 6/25/07 and 9/28/07.

As indicated in Applicant's response per 6/25, an Appeal Brief is pending and Claims 1, 3-5, 7-17 are pending in the office action; further, after a telephonic contact with the Applicant's representative, the response submitted 9/28 enables the current office action to address both the Appeal Brief and to reach a agreement for the amendments as set forth below.

EXAMINER'S AMENDMENT

2. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with att. Arthur Samodovitz, # 31,297 between 9/26-07 to 9/28/07.

The application has been amended as follows:

3. The CLAIMS have been amended as per the submitted Amendments and filed as of 9/28/07 of record, namely: SUPPLEMENTAL AMENDMENT AFTER FINAL REJECTION.

However, there is some **typographical error** to be corrected.

In **Claim 1** (in the Amendments of 9/28/07):

At lines 17-18, amend as follows:

'... and supplying to said other program object said prerequisite parameter needed ~~needed~~ to install said other application ...'

EXAMINER'S STATEMENT OF REASONS FOR ALLOWANCE

4. Claims 1, 3-5, and 7-12 are allowed.

The following is an examiner's statement of reasons for allowance.

The prior art taken separately or jointly does not suggest or teach the following features.

A method and apparatus product for installing applications on a server, comprising (i) a multiplicity of program objects to install respective applications on said server, and code means to determine a plurality of program objects and to invoke one program object among said multiplicity to install said one object respective application, said invoked one program object installing said one application, and (ii) based upon said one installation, said one object identifying, invoking another of said program object, and supplying to said another object a prerequisite parameter needed to install another of said applications; and (iii) responsive thereto, said other program object installing said other application using said prerequisite parameter thus supplied as in (ii) as recited in claim 1,5.

Crespo, USPN: 2003/0046682 discloses a server communicating with a database in conjunction with initiating actions by a user to obtain a multiplicity of source files needed to implement user installation, by means of install script whose construction is based on querying additional objects for building the required target package. The combination of the initial user's specification files and additional generated source files -- remotely retrieved from a database via parsing said specification file—and the response files automatically generated from said parsing enable construction of the final script; but nowhere in **Crespo** is it suggested or taught of the sequence of invocations wherein a program object is being invoked among a plurality of program objects needed for applications installation **of a server** wherein each object installs its respective

Art Unit: 2193

application as in (i), such that each such invoked program object identifies, based on the respective application being installed, another program object and supplies a prerequisite parameter as in (ii) to enable the installing by the other object as in (iii).

Rowley et al, USPubN: 2003/0009754, teaches a process control at a server level to communicate a supervisory software to a remote location including identifying software modules needed for a target; and via use of a message exchange facilitator among intercommunicating application engines, enable passing of attributes or handle from one engine to the next engine. But Rowley does not teach or suggest **installing** applications for a server identified by the program objects according to the invocation in (i) using the invoking and parameter supplying in (ii) and (iii) to install applications needed in (i) for a server system.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Information Disclosure Statement

5. Concerning the NPL document entitled "IBM Standard Software Installer" listed in the IDS filed 3/13/2007 for which no tangible copy had been identified, it is recommended that Applicant submit a copy thereof prior to paying the Issue Fees in case Applicant wishes to have the above NPL document considered.

Conclusion

Art Unit: 2193

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Tuan A Vu whose telephone number is (571) 272-3735. The examiner can normally be reached on 8AM-4:30PM/Mon-Fri.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Meng-Ai An can be reached on (571)272-3756.

The fax phone number for the organization where this application or proceeding is assigned is (571) 273-3735 (for non-official correspondence - please consult Examiner before using) or 571-273-8300 (for official correspondence) or redirected to customer service at 571-272-3609.

Any inquiry of a general nature or relating to the status of this application should be directed to the TC 2100 Group receptionist: 571-272-2100.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Tuan A Vu
Patent Examiner,
Art Unit 2193
September 29, 2007